FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPLICATION NO.2224 OF 2006

Ganesh Ramesh Mhatre ..Applicant
V/s.
The State of Maharashtra ..Respondent

Office Notes, Office Memoranda of Coram appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

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Mr.Niranjan Mundargi i/by
Indrajeet Joshi for the applicant.

Mr.P.S.Hingorani APP for the State

Coram : R.S.Mohite,J

Date : 29.6.2006.

PC

1. This is an application for grant of anticipatory bail. The applicant is shown as an accused in C.R.No.150/2006 registered by the Versova police station for offences punishable under Sections 420, 506 (II) r/w 34 of IPC. The offence is registered on a complaint of one Suvarna Motiram Patil who is a girl aged 29 years. The allegation in the complaint is that the applicant had a love affair with her for a period of 4 years and had promised to marry her. All

arrangements for the marriage has been made. On the last minute, the father of the boy demanded Rs.2,00,000/- and thus marriage was broken. She alleged that she was therefore, cheated and lost a period of 4 years of her life. There is a further allegation that the applicant had taken Rs.80,000/- to Rs.90,000/- from her from time to time. When the anticipatory bail application was before the Sessions Court it appears that the amount of Rs.1,20,000/- to cover up Rs.90,000/- plus Rs.30,000/- towards the marriage expenses said to have been incurred from the gril side, has been deposited in the Sessions Court. Advocate for the applicant states that without prejudice to his rights at the criminal trial, he has no objection if the amount of Rs.1,20,000/- is paid to the Complainant subject to her giving undertaking in this Court to return the money

in case she is called upon to do so by the trial Court as also subject to giving of a bond for the return of the said money. APP on taking instructions from the Complainant who is present in the Court states that she is willing to file an undertaking to return such money in case she is directed to return the same by the trial Court. Complainant is present in the Court and has agreed to give such an undertaking. In such circumstances, the Complainant Suvarna Patil will be given the amount of Rs.1,20,000/- lying and deposited in Anticipatory Bail Application No.664/2006 before the Sessions Court, subject to her giving personal bond and undertaking in the aforesaid terms.

2. As regards the other allegation relating to cheating, in my view, the investigation can proceed without custodial interrogation. It is therefore,

directed that in the event of his arrest in connection with C.R.No.150/2006 registered by the Versova police station, the applicant may be released on bail in the sum of Rs.5,000/- with one surety in the like amount subject to the condition that he will report once a week on every Monday to the investigating officer of Versova police station till the charge-sheet is filed and thereafter once a month on every first Monday till the conclusion of the trial and also subject to the condition that the applicant will stay out of Greater Bombay and will enter Greater Bombay only for the purpose of attendance as aforesaid and on the dates of his trial and that he will not contact the complainant either personally or on telephone till the disposal of the trial. Application stands disposed of.

(R.S.Mohite,J)